

## § 532.283

for computing all premium payments for a shift.

(f) Employees who both dive and tend on the same shift shall receive the higher diving rate as the basic rate for all hours of the shift.

[55 FR 46146, Nov. 1, 1990]

## § 532.283 Special wage schedules for nonappropriated fund tipped employees classified as waiter/waitress.

(a) Tipped employees shall be paid from the regular nonappropriated fund (NAF) schedule applicable to the employee's duty station.

(b) A tip offset may be authorized for employees classified as Waiter/Waitress. For purposes of this section, a tipped employee is one who is engaged in an occupation in which he or she customarily and regularly receives more than \$30 a month in tips, and a tip offset is the amount of money by which an employer, in meeting legal minimum wage standards, may reduce a tipped employee's cash wage in consideration of the receipt of tips.

(c) A tip offset may be established, abolished, or adjusted by NAF instrumentalities on an annual basis and at such additional times as new or revised minimum wage statutes require. The amount of any tip offset may vary within a single instrumentality based on location, type of service, or time of service.

(d) If tipped employees are represented by a labor organization holding exclusive recognition, the employing NAF instrumentality shall negotiate with such organization to arrive at a determination as to whether, when, and how much tip offset shall be applied. Changes in tip offset practices may be made more frequently than annually as a result of collective bargaining agreement.

(e) Tip offset practices shall be governed by the Fair Labor Standards Act, as amended, or the applicable statutes of the State, possession or territory where an employee works, whichever provides the greater benefit to the employee. In locations where tip offset is prohibited by law, the requirements of paragraphs (c) and (d) of this section do not apply.

[55 FR 46146, Nov. 1, 1990]

## 5 CFR Ch. I (1-1-16 Edition)

## § 532.285 Special wage schedules for supervisors of negotiated rate Bureau of Reclamation employees.

(a) The Department of the Interior shall establish and issue special wage schedules for wage supervisors of negotiated rate wage employees in the Bureau of Reclamation. These schedules shall be based on annual special wage surveys conducted by the Bureau of Reclamation in each special wage area. Survey jobs representing Bureau of Reclamation positions at up to four levels will be matched to private industry jobs in each special wage area. Special schedule rates for each position will be based on prevailing rates for that particular job in private industry.

(b) Each supervisory job shall be described at one of four levels corresponding to the four supervisory situations described in Factor I and four levels of Subfactor IIIA of the FWS Job Grading Standard for Supervisors. They shall be titled in accordance with regular FWS practices, with the added designation of level I, II, III, or IV. The special survey and wage schedule for a given special wage area includes only those occupations and levels having employees in that area. For each position on the special schedule, there shall be three step rates. Step 2 is the prevailing rate as determined by the survey; step 1 is 96 percent of the prevailing rate; and step 3 is 104 percent of the prevailing rate.

(c) For each special wage area, the Bureau of Reclamation shall designate and appoint a special wage survey committee, including a chairperson and two other members (at least one of whom shall be a supervisor paid from the special wage schedule), and one or more two-person data collection teams (each of which shall include at least one supervisor paid from the special wage schedule). The local wage survey committee shall determine the prevailing rate for each survey job as a weighted average. Survey specifications are as follows for all surveys:

(1) Based on Bureau of Reclamation activities and types of supervisory positions in the special wage area, the Bureau of Reclamation must survey private industry companies, with no

## Office of Personnel Management

§ 532.285

minimum employment size requirement for establishments, in the following North American Industry Classification System code subsectors:

2012 NAICS codes	2012 NAICS industry titles
211 .....	Oil and gas extraction.
212 .....	Mining (except oil and gas).
213 .....	Support activities for mining.
221 .....	Utilities.
333 .....	Machinery manufacturing.
334 .....	Computer and electronic product manufacturing.
335 .....	Electrical equipment, appliance, and component manufacturing.
484 .....	Truck transportation.
492 .....	Couriers and messengers.
493 .....	Warehousing and storage.
515 .....	Broadcasting (except Internet).
517 .....	Telecommunications.
562 .....	Waste management and remediation services.
811 .....	Repair and maintenance.

(2) Each local wage survey committee shall compile lists of all companies in the survey area known to have potential job matches. For the first survey, all companies on the list will be surveyed. Subsequently, companies shall be removed from the survey list if they prove not to have job matches, and new companies will be added if they are expected to have job matches. Survey data will be shared with other local wage survey committees when the data from any one company is applicable to more than one special wage area.

(3) For each area, survey job descriptions shall be tailored to correspond to the position of each covered supervisor in that area. They will be described at one of four levels (I, II, III, or IV) corresponding to the definitions of the four supervisory situations described in Factor I and four levels of Subfactor IIIA of the FWS Job Grading Standard for Supervisors. A description of the craft, trade, or labor work supervised will be included in each supervisory survey job description.

(d) Special wage area boundaries shall be identical to the survey areas covered by the special wage surveys. The areas of application in which the special schedules will be paid are generally smaller than the survey areas, reflecting actual Bureau of Reclamation worksites and the often scattered location of surveyable private sector jobs. Special wage schedules shall be established in the following areas:

### THE GREAT PLAINS REGION

#### *Special Wage Survey Area (Counties)*

*Montana:* All counties except Lincoln, Sanders, Lake, Flathead, Mineral, Missoula, Powell, Granite, and Ravalli

*Wyoming:* All counties except Lincoln, Teton, Sublette, Uinta, and Sweetwater

*Colorado:* All counties except Moffat, Rio Blanco, Garfield, Mesa, Delta, Montrose, San Miguel, Ouray, Delores, San Juan, Montezuma, La Plata, and Archuleta

*North Dakota:* All counties

*South Dakota:* All counties

#### *Special Wage Area of Application (Counties)*

*Montana:* Broadwater, Jefferson, Lewis and Clark, Yellowstone, and Bighorn Counties

*Wyoming:* All counties except Lincoln, Teton, Sublette, Uinta, and Sweetwater

*Colorado:* Boulder, Chaffee, Clear Creek, Eagle, Fremont, Gilpin, Grand, Lake, Larimer, Park, Pitkin, Pueblo, and Summit

*Beginning month of survey:* August

### THE MID-PACIFIC REGION

#### *Special Wage Survey Area (Counties)*

*California:* Shasta, Sacramento, Butte, San Francisco, Merced, Stanislaus

#### *Special Wage Area of Application (Counties)*

*California:* Shasta, Sacramento, Fresno, Alameda, Tehoma, Tuolumne, Merced

*Beginning month of survey:* February

### GREEN SPRINGS POWER FIELD STATION

#### *Special Wage Survey Area (Counties)*

*Oregon:* Jackson

#### *Special Wage Area of Application (Counties)*

*Oregon:* Jackson

*Beginning month of survey:* April

**§ 532.285**

**PACIFIC NW. REGION DRILL CREW**

*Special Wage Survey Area (Counties)*

*Montana:* Flathead, Missoula  
*Oregon:* Lane, Bend, Medford, Umatilla, Multnomah  
*Utah:* Salt Lake  
*Idaho:* Ada, Canyon, Adams  
*Washington:* Spokane, Grant, Lincoln, Okanogan

*Special Wage Area of Application (Counties)*

*Oregon:* Deschutes, Jackson, Umatilla  
*Montana:* Missoula  
*Idaho:* Ada  
*Washington:* Grant, Lincoln, Douglas, Okanogan, Yakima  
*Beginning month of survey:* April

**SNAKE RIVER AREA OFFICE (CENTRAL SNAKE/ MINIDOKA)**

*Special Wage Survey Area (Counties)*

*Idaho:* Ada, Caribou, Bingham, Bannock

*Special Wage Area of Application (Counties)*

*Idaho:* Gem, Elmore, Bonneville, Minidoka, Boise, Valley, Power  
*Beginning month of survey:* April

**HUNGRY HORSE PROJECT OFFICE**

*Special Wage Survey Area (Counties)*

*Montana:* Flathead, Missoula, Cascade, Sanders, Lake  
*Idaho:* Bonner  
*Washington:* Pend Oreille

*Special Wage Area of Application (Counties)*

*Montana:* Flathead  
*Beginning month of survey:* March

**GRAND COULEE POWER OFFICE (GRAND COULEE PROJECT OFFICE)**

*Special Wage Survey Area (Counties)*

*Oregon:* Multnomah  
*Washington:* Spokane, King

*Special Wage Area of Application (Counties)*

*Washington:* Grant, Douglas, Lincoln, Okanogan  
*Beginning month of survey:* April

**UPPER COLUMBIA AREA OFFICE (YAKIMA)**

*Special Wage Survey Area (Counties)*

*Washington:* King, Yakima  
*Oregon:* Multnomah

*Special Wage Area of Application (Counties)*

*Washington:* Yakima  
*Oregon:* Umatilla  
*Beginning Month of Survey:* September

**5 CFR Ch. I (1–1–16 Edition)**

**COLORADO RIVER STORAGE PROJECT AREA**

*Special Wage Survey Area (Counties)*

*Arizona:* Apache, Coconino, Navajo  
*Colorado:* Moffat, Montrose, Routt, Gunnison, Rio Blanco, Mesa, Garfield, Eagle, Delta, Pitkin, San Miguel, Delores, Montezuma, La Plata, San Juan, Ouray, Archuleta, Hinsdale, Mineral  
*Wyoming:* Uinta, Sweetwater, Carbon, Albany, Laramie, Goshen, Platte, Niobrara, Converse, Natrona, Fremont, Sublette, Lincoln  
*Utah:* Beaver, Box Elder, Cache, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, Weber

*Special Survey Area of Application (Counties)*

*Arizona:* Coconino  
*Colorado:* Montrose, Gunnison, Mesa  
*Wyoming:* Lincoln  
*Utah:* Daggett  
*Beginning month of survey:* March

**ELEPHANT BUTTE AREA**

*Special Wage Survey Area (Counties)*

*New Mexico:* Grant, Hidalgo, Luna, Donna Ana, Otero, Eddy, Lea, Roosevelt, Chaves, Lincoln, Sierra, Socorro, Catron, Cibola, Valencia, Bernalillo, Torrance, Guadalupe, De Baca, Curry, Quay  
*Texas:* El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Pecos, Reeves, Loving, Ward, Winkler  
*Arizona:* Apache, Greenlee, Graham, Cochise

*Special Wage Area of Application (Counties)*

*New Mexico:* Sierra  
*Beginning month of survey:* June

**LOWER COLORADO DAMS AREA**

*Special Wage Survey Area (Counties)*

*Nevada:* Clark  
*California:* Los Angeles  
*Arizona:* Maricopa

*Special Wage Area of Application (Counties)*

*Nevada:* Clark  
*California:* San Bernardino  
*Arizona:* Mohave  
*Beginning month of survey:* August

**YUMA PROJECTS AREA**

*Special Wage Survey Area (Counties)*

*California:* San Diego  
*Arizona:* Maricopa, Yuma

NOTE: Bureau of Reclamation may add other survey counties for dredge operator supervisors because of the uniqueness of the

## Office of Personnel Management

§ 532.287

occupation and difficulty in finding job matches.)

### *Special Wage Area of Application (Counties)*

Arizona: Yuma

Beginning month of survey: November (Maintenance) and April (Dredging)

BUREAU OF RECLAMATION, DENVER, CO, AREA

### *Special Wage Survey Area (Counties)*

Colorado: Jefferson, Denver, Adams, Arapahoe, Boulder, Larimer

### *Special Wage Survey Area of Application (Counties)*

Colorado: Jefferson

Beginning month of survey: February

(e) These special schedule positions will be identified by pay plan code XE, grade 00, and the Federal Wage System occupational codes will be used. New employees shall be hired at step 1 of the position. With satisfactory or higher performance, advancement between steps shall be automatic after 52 weeks of service.

(f)(1) In the first year of implementation, all special areas will have full-scale surveys.

(2) Current employees shall be placed in step 2 of the new special schedule, or, if their current rate of pay exceeds the rate for step 2, they shall be placed in step 3. Pay retention shall apply to any employee whose rate of basic pay would otherwise be reduced as a result of placement in these new special wage schedules.

(3) The waiting period for within-grade increases shall begin on the employee's first day under the new special schedule.

[60 FR 5310, Jan. 27, 1995, as amended at 69 FR 7105, Feb. 13, 2004; 71 FR 35375, June 20, 2006; 73 FR 45853, Aug. 7, 2008; 78 FR 58154, Sept. 23, 2013]

### **§ 532.287 Special wage schedules for nonappropriated fund automotive mechanics.**

(a) The Department of Defense (DOD) will establish a flat rate pay system for nonappropriated fund (NAF) automotive mechanics. This flat rate pay system will take into account local prevailing rates, the mechanic's skill level, and the standard number of hours required to complete a particular job.

(b) DOD will issue special wage schedules for NAF automotive mechanics who are covered by the flat rate pay system. These special schedules will provide rates of pay for non-supervisory, leader, and supervisory employees. These special schedule positions will be identified by pay plan codes XW (nonsupervisory), XY (leader), and XZ (supervisory), grades 8-10, and will use the Federal Wage System occupational code 5823.

(c) DOD will issue special wage schedules for NAF automotive mechanics based on annual special flat rate surveys of similar jobs conducted in each special schedule wage area.

(1) The survey area for these special surveys will include the same counties as the regular NAF survey area.

(2) The survey jobs used will be Automotive Worker and Automotive Mechanic.

(3) The special surveys will include data on automotive mechanics that are paid under private industry flat rate pay plans as well as those paid by commission.

(4) In addition to all standard North American Industry Classification System (NAICS) codes currently used on the regular surveys, the industries surveyed will include—

2012 NAICS Codes	2012 NAICS Industry titles
441110 .....	New car dealers.
441310 .....	Automotive parts and accessory stores.
811111 .....	General automotive repair.
811191 .....	Automotive oil change and lubrication shops.

(5) The surveys will cover establishments with a total employment of eight or more.

(6) The special schedules for NAF automotive mechanics will be effective on the same dates as the regular wage schedules in the NAF FWS wage area.

(d) New employees will be hired at step 1 of the position under the flat rate pay system. Current employees will be moved to these special wage schedules on a step-by-step basis. Pay retention will apply to any employee whose rate of basic pay would otherwise be reduced as a result of placement in these new special schedules.

[79 FR 22765, Apr. 24, 2014]